



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: November 25, 2008

Expiration Date: December 26, 2008

Corps of Engineers Action ID: NWP-2001-325

30 Day Notice

Oregon Department of State Lands Number: 41641

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Mr. Holm)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: City of Oregon City, Public Works

Location: Southern bank of the Clackamas River (river mile 0.35) at the mouth of Clackamette Cove, in Oregon City, Clackamas County, Oregon (Sections 29 and 30, Township 2 South, Range 2 East).

Project Description: The proposed maintenance dredging project will remove approximately 9,000 cubic yards (cy) of cobble, gravel, sand and silt from the Clackamas River and the mouth of Clackamette Cove to provide year-round access into the cove. Approximately 4,000 cy of the dredge material will be placed on an adjacent gravel bar in the river. The remaining 5,000 cy of material will be stockpiled for future river restoration projects. A 500-cy, temporary berm will be located downstream of the work area to isolate the work area from incoming tidal fluctuations. The berm will connect the southern riverbank to the gravel bar and will allow access for the excavation machinery. The work is proposed for in water work window from July 15 to August 31.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To allow year-round access to and from the cove for the Clackamas County River Patrol facilities, recreational purposes, and improved navigation safety.

Drawing(s): Eleven (11) figures, labeled NWP-2001-325.

Additional Information: Additional information may be obtained from James A. Holm, U.S. Army Corps of Engineers at (503) 808-4385 or james.a.holm@usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: An initial evaluation of the proposed project area indicates that an initial evaluation of the proposed project area indicates that to the best of our knowledge, the described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. At this time the Corps is unaware of any cultural resource surveys of the project area.

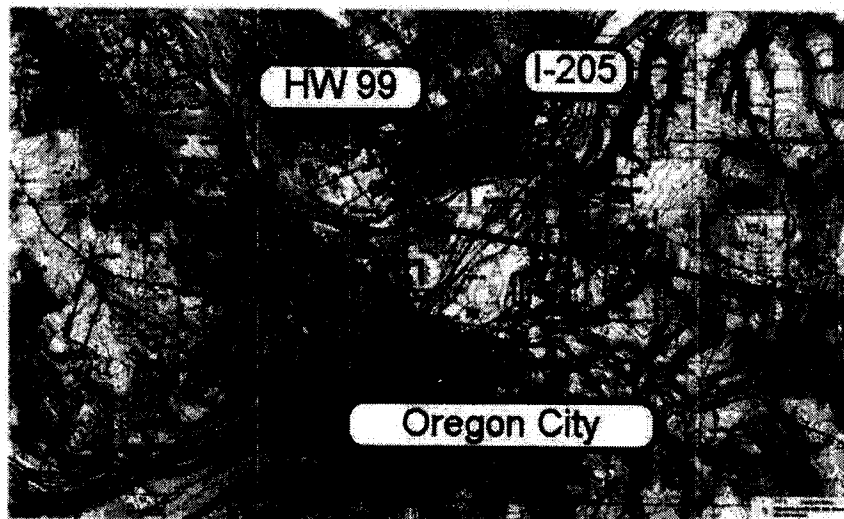
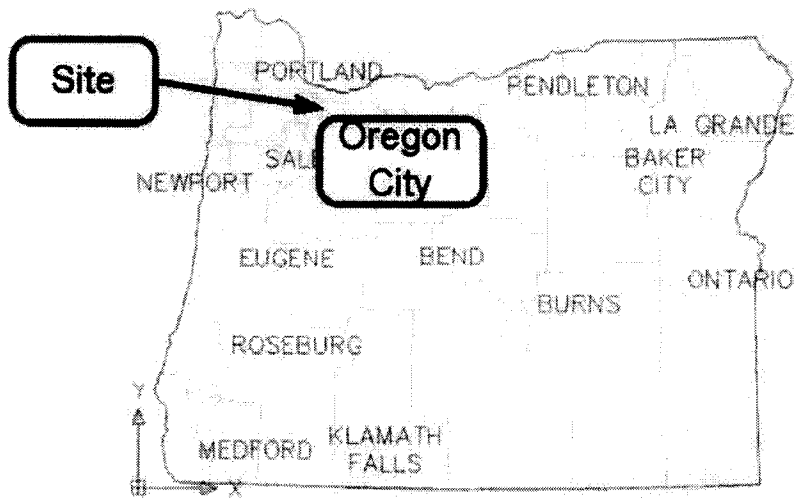
This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands,

historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.



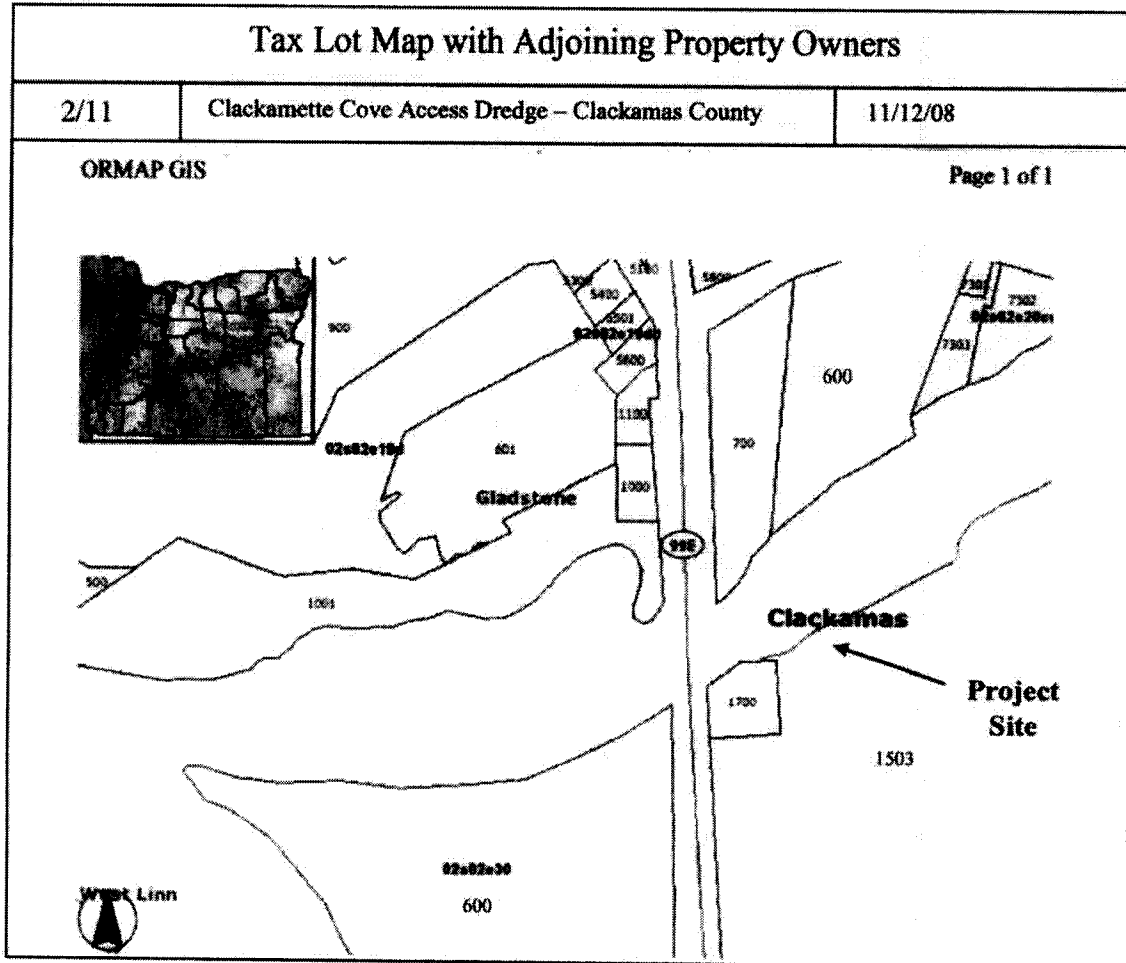
Clackamas River Mile 0.35
 Lat: 45.3734
 Lon: -122.8000
 Datum: NGVD

Flowing solutions



Locator Map and Vicinity Map		
1/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08
		Vicinity

NWP-2001-325



source: <http://www.ormap.org/maps/includes/map.cfm> (9/15/08)

Property within City of Oregon City

Tax Lot 600 (map #02s02e30) – City of Oregon City, P. O. Box 3040, Oregon City, OR 97045.
Phone: (503)-657-0891

Tax Lot 1700 (map #02s02e29) – City of Gladstone, 525 Portland Avenue, Gladstone, OR 97027-2115 (this is property Gladstone owns in O. C.).
Phone: (503) 656-5225

Tax Lot 1503 (map #02s02e29) – Oregon City Urban Renewal Agency, P. O. Box 351, Oregon City, OR 97045.
Phone: (503) 657-0895

Property within City of Gladstone

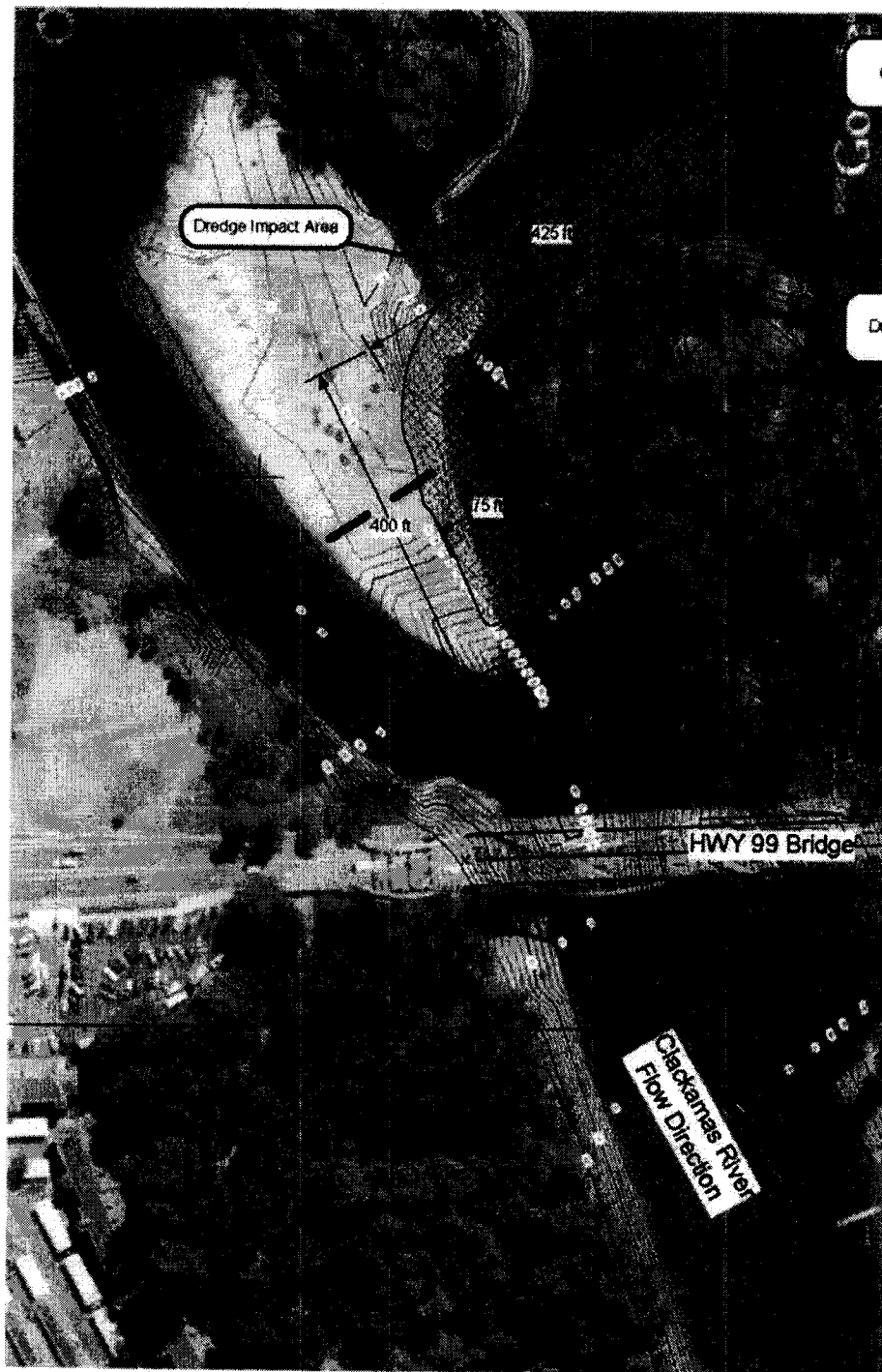
Tax Lot 600 (map #02s02e19dd) – Dan Incorporated Oregon. P. O. Box 2200, Oregon City, OR 97045
Phone: 503-655-9141

Tax Lot 700 (map #02s02e20cc) – Tri City Development, LLC. C/O Margaret Poe, 623 High Street, Oregon City, OR 97045
Phone: (503) 656-8686

Tax Lot 7301 (map #02s02e20cc) – Tri City Service District, 9101 SE Sunnybrook Blvd., Suite 441, Clackamas, OR 97015
Phone: (503) 353-4567

Tax Lot 7302 & 7303 – Smelser, Leslie and Penny P.O. Box 508 Gladstone, Oregon 97027
Phone: not listed.

NWP-2001-325



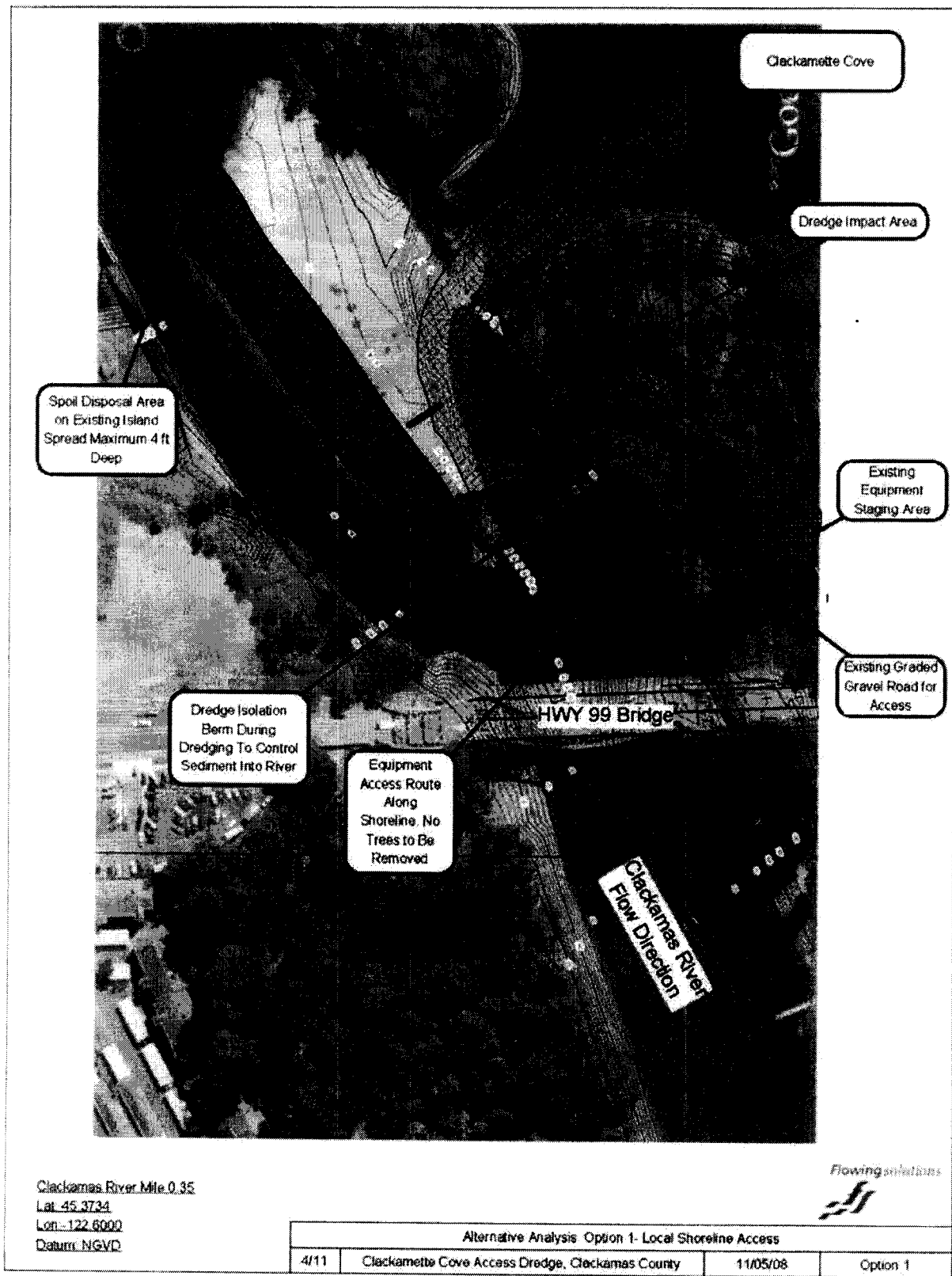
Clackamas River Mile 0.35
 Lat 45.3734
 Lon -122.6000
 Datum: NGVD

Flowing solutions



Alternative Analysis Option 1- Local Shoreline Access			
3/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	Impact Area

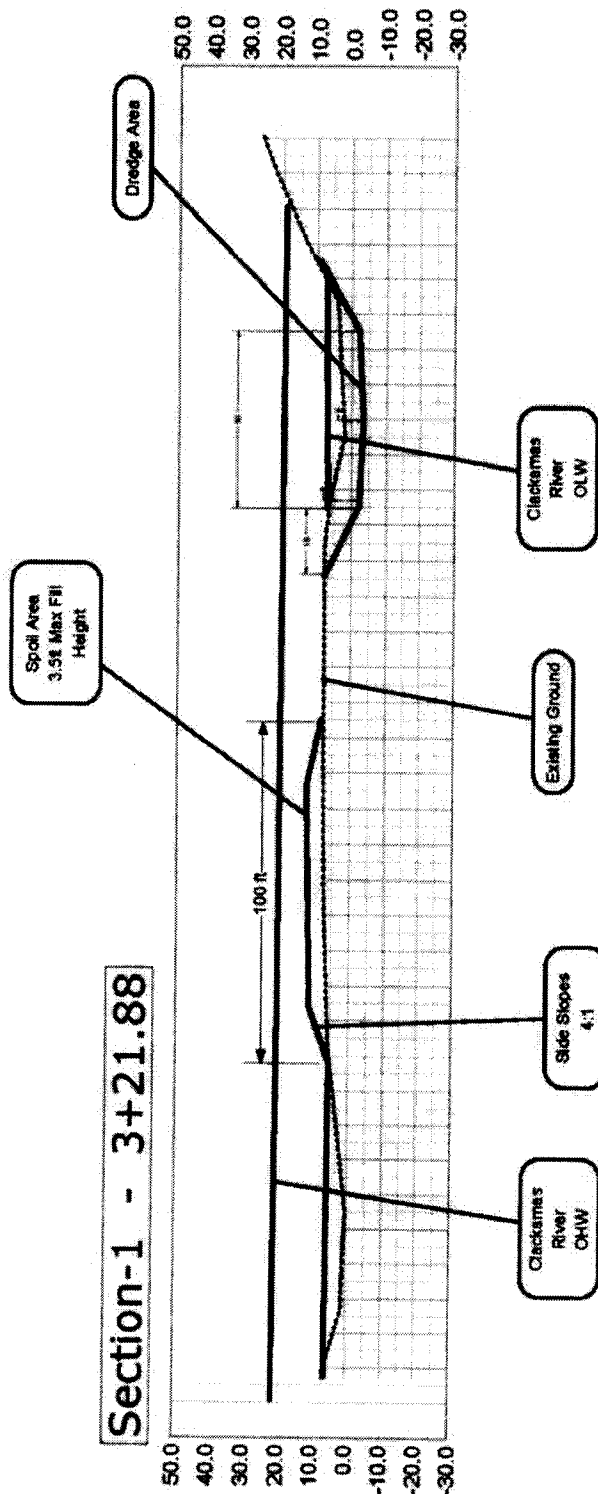
NWP-2001-325



NMP-2001-325

Clackamas River Mile 0.35
 Lat: 45.3734
 Lon: -122.8000
 Datum: NGVD

Section-1 - 3+21.88



NOTE: DREDGE AREA AND
 SPOIL AREA REFLECT
 CONFIGURATION ALONG
 WORK ZONE
 ALL DISTANCES IN FEET
 SCALE 1"=400'

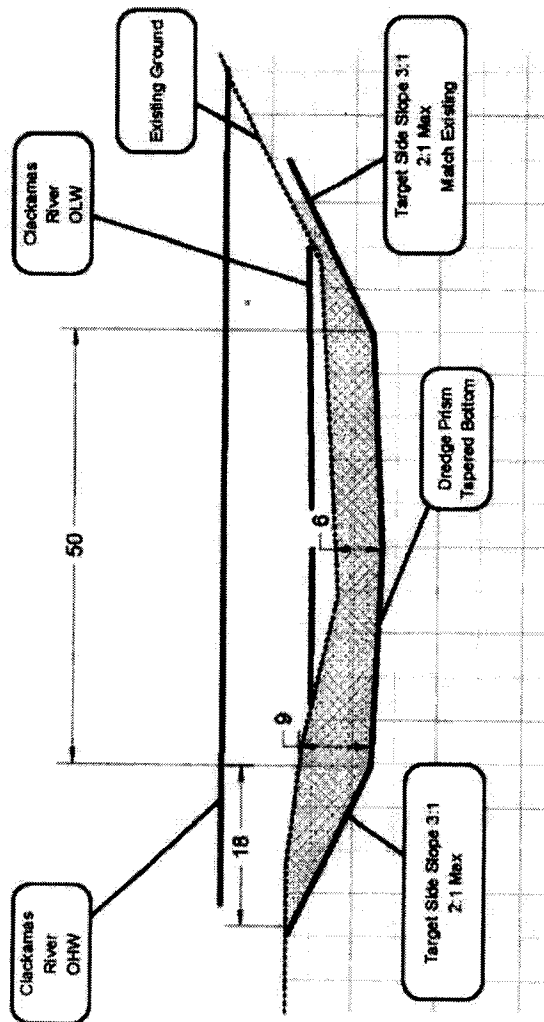
Proposed Ground Surface
 Existing Ground Surface



Alternative Analysis Option 1 Dredge Section			
5/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	01-Section

Nwp-2001-325

Clackamas River Mile 0.35
 Lat: 45.3734
 Lon: -122.8000
 Datum: NGVD



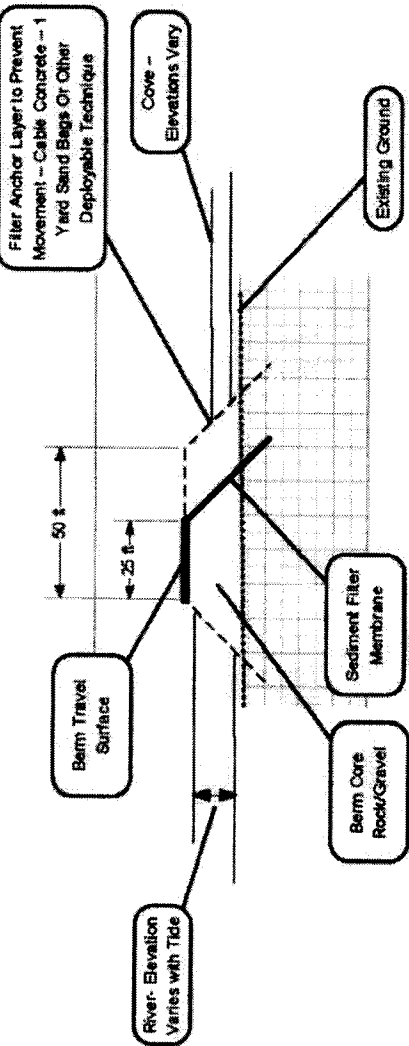
NOTE: DREDGE PRISM SHOWS
 TYPICAL CUT SLOPES AND
 DIMENSIONAL INFORMATION.
 ALL DISTANCES IN FEET
 SCALE 1"=200'

Proposed Ground Surface
 Existing Ground Surface

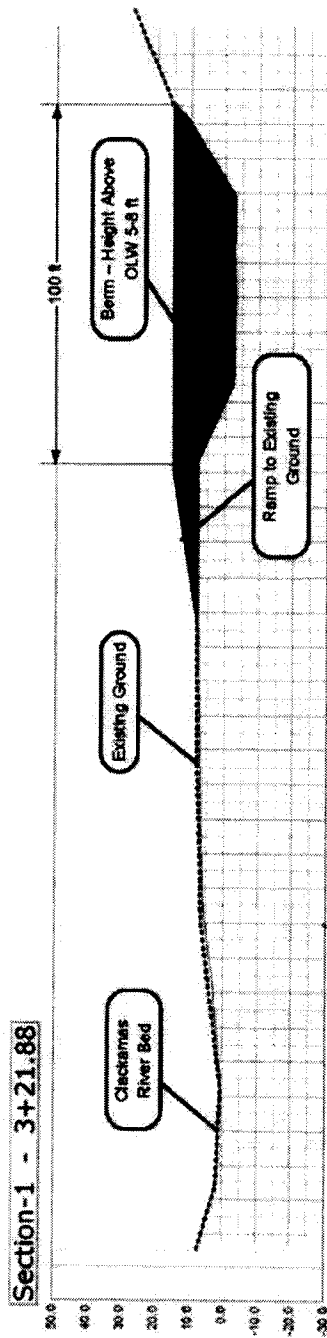
Flowing solutions

Alternative Analysis Option 1 Dredge Prism			
6/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	01-Prism

NWP-2001-325



ACCESS/ISOLATION BERM
SECTION



ACCESS/ISOLATION BERM
PROFILE

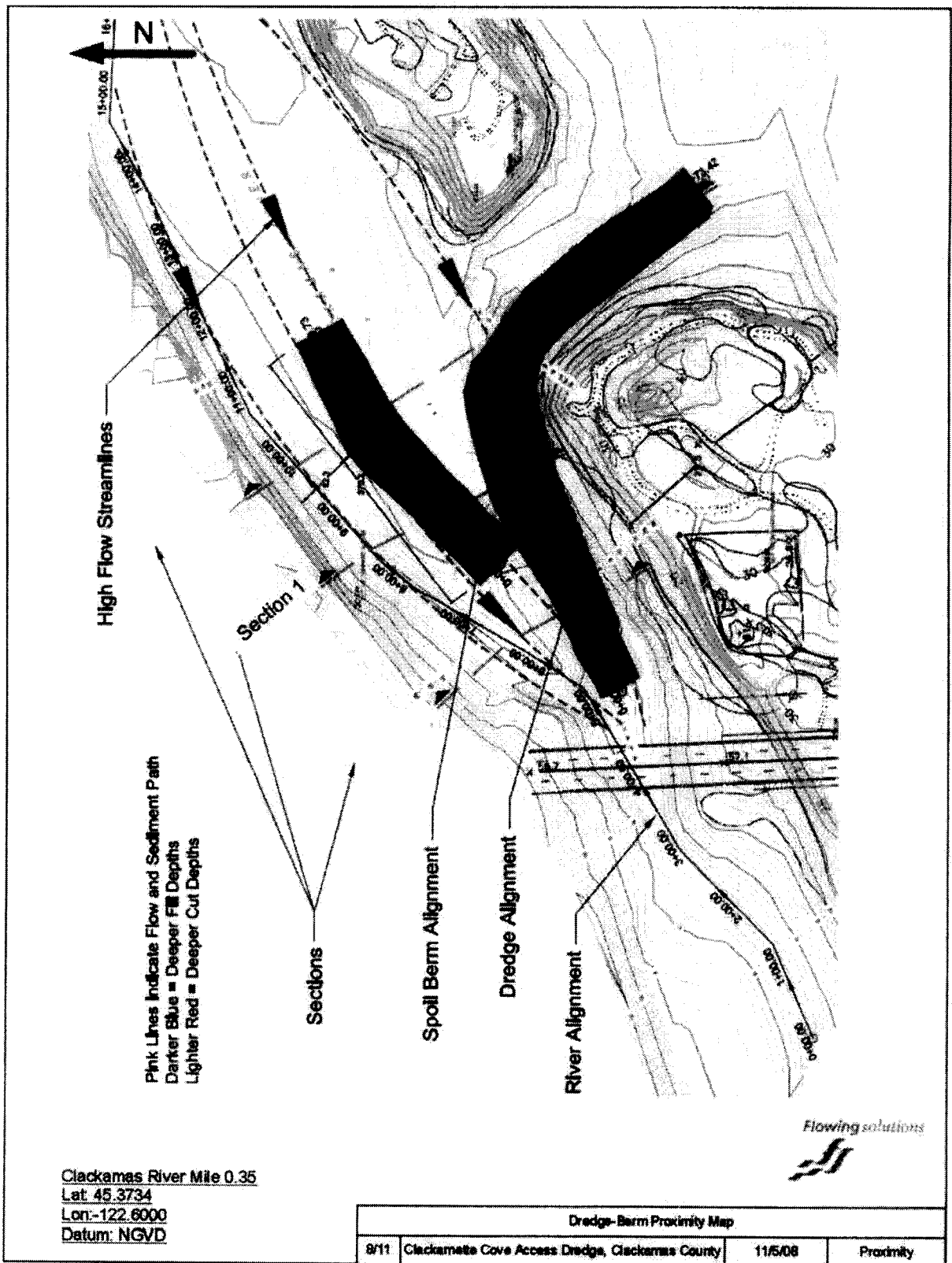
NOTE: ISOLATION BERM
PROVIDES ACCESS AND IS
HYDRAULIC BARRIER

Clackamas River Mile 0.35
Lat: 45.3734
Lon: 122.8600
Datum: NGVD

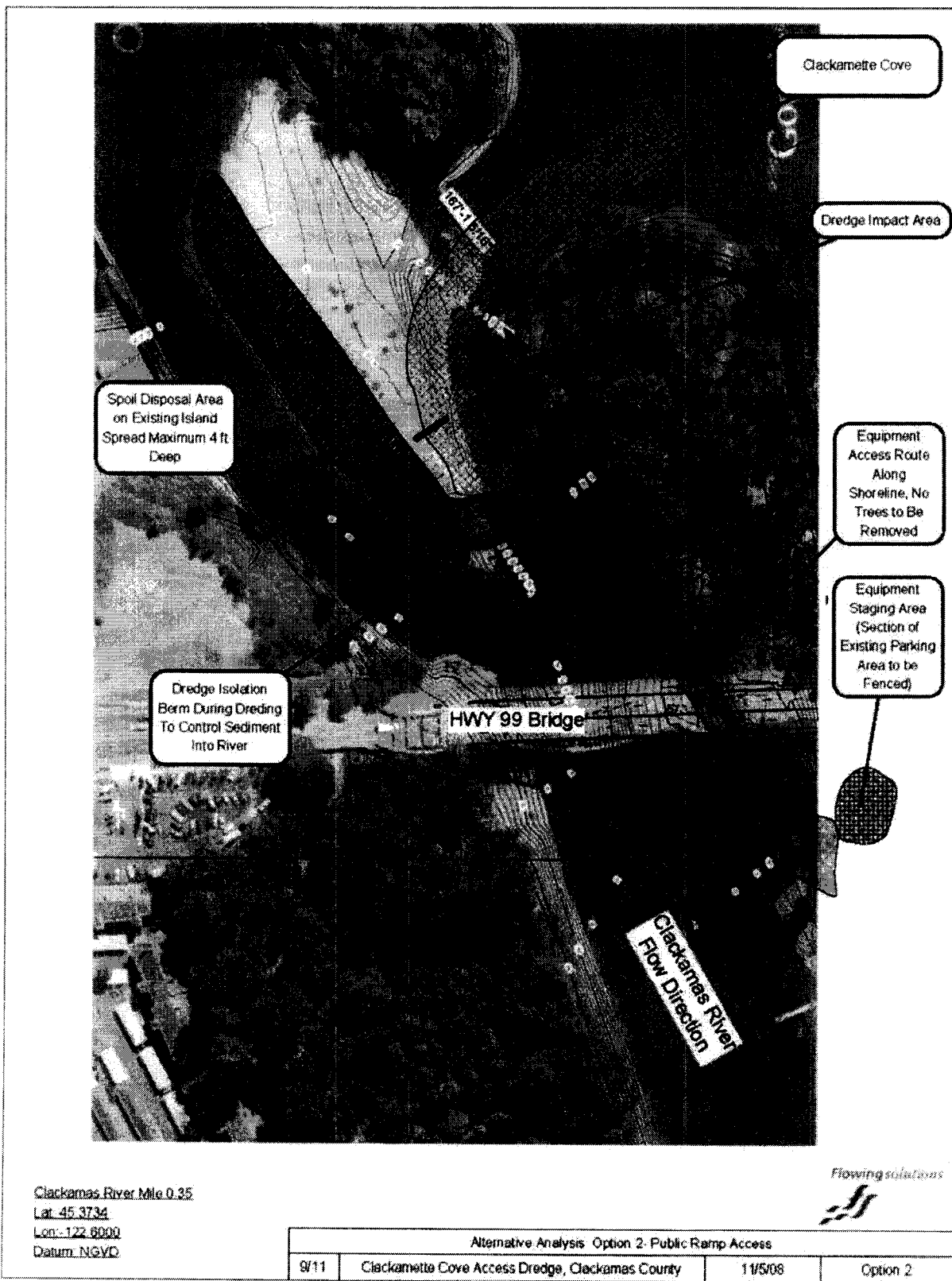


Alternative Analysis Option 1 Isolation Berm/Access Berm			
7/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	O1-Berm

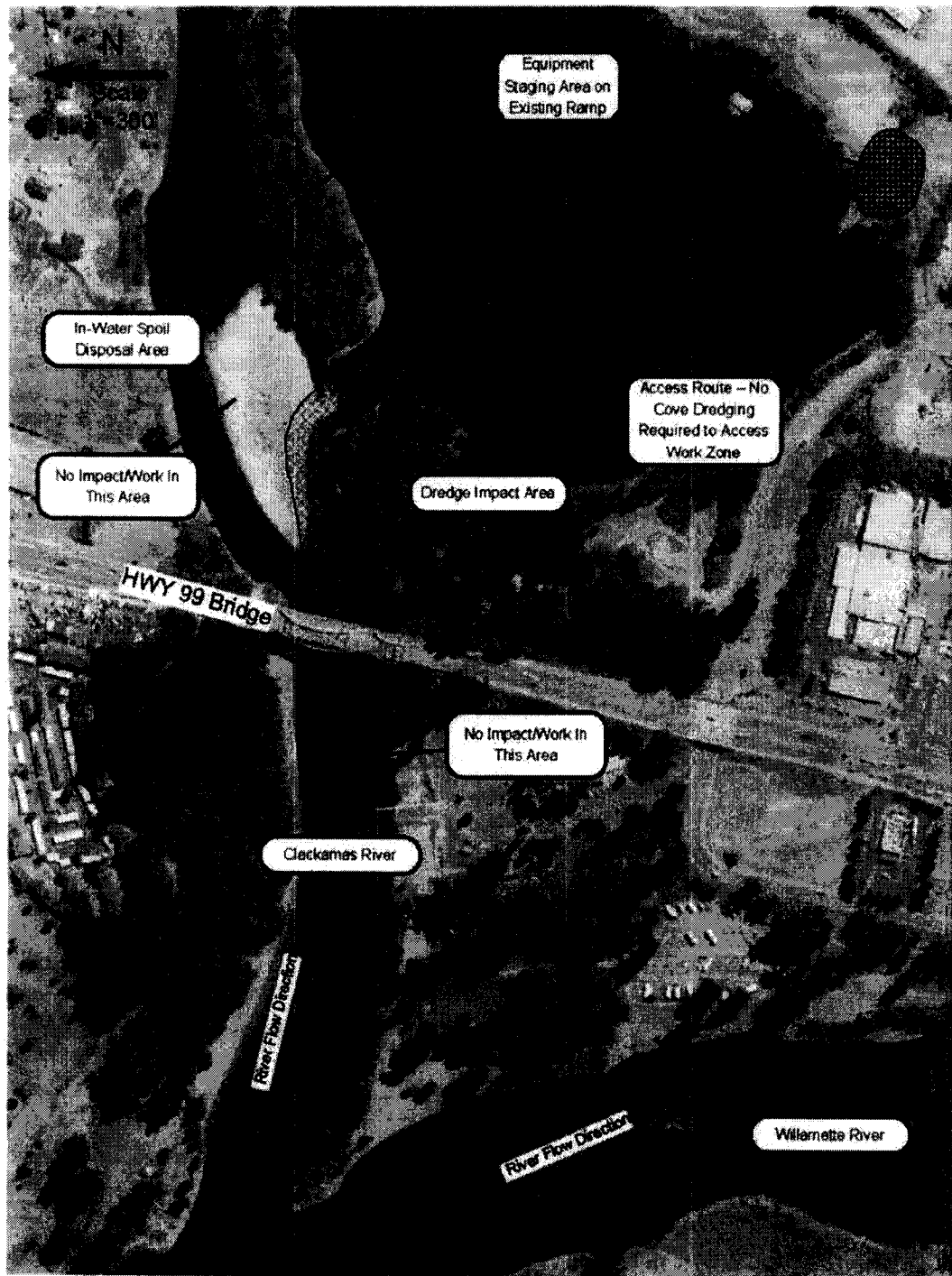
NWP-2001-325



Nwp-2001-325



NWP-2001-325



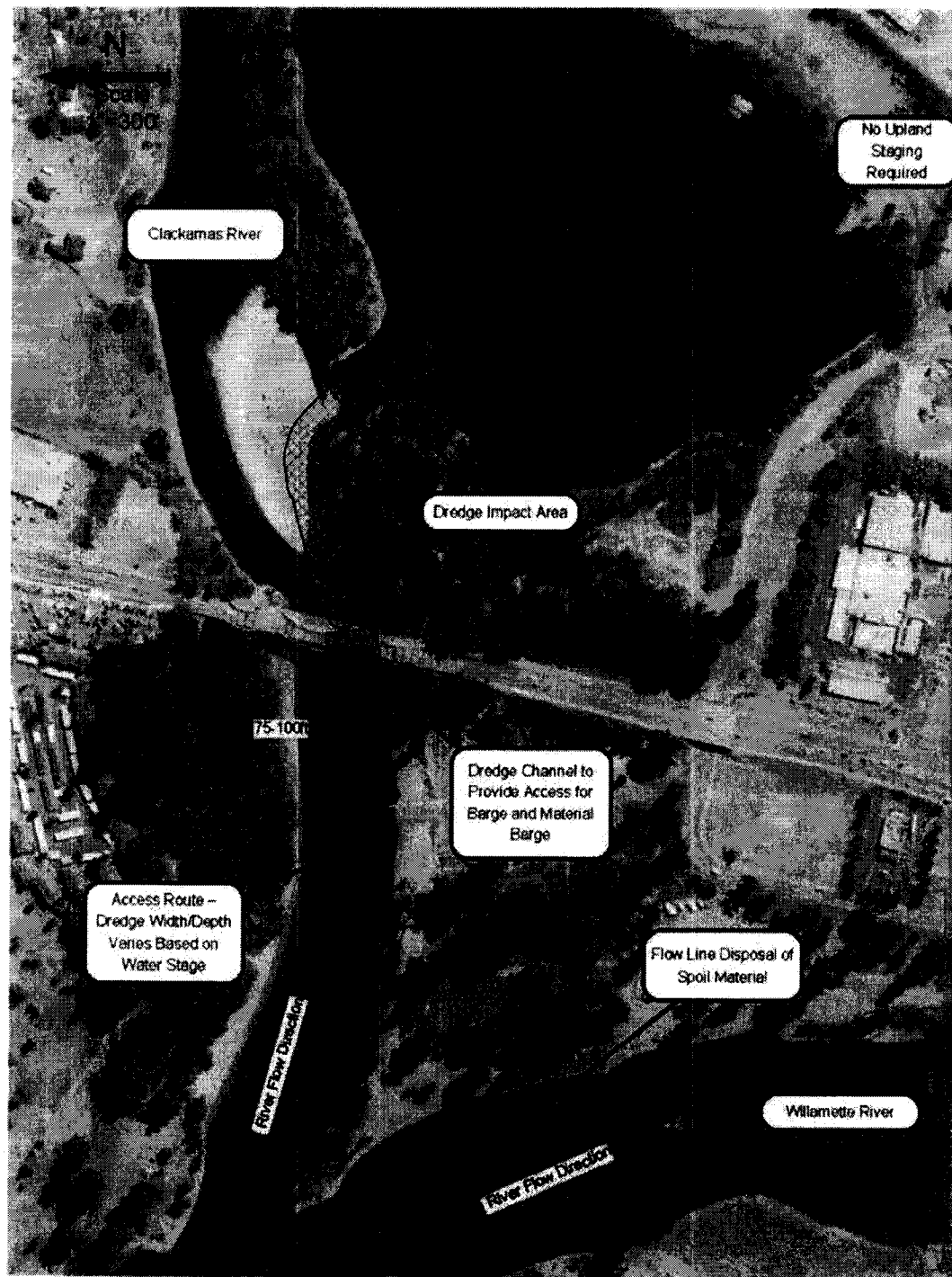
Clackamas River Mile 0.35
 Lat. 45.3734
 Lon. -122.6000
 Datum: NGVD

Flowing solutions



Alternative Analysis Option 3- Water Access From Cove			
10/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	Option 3

NW P-2001-305



Clackamas River Mile 0.35
 Lat: 45.3734
 Lon: -122.6000
 Datum: NGVD

Flowing solutions



Alternative Analysis Option 4: Water Access From Willamette			
11/11	Clackamette Cove Access Dredge, Clackamas County	11/5/08	Option 4

NWP-2001-325

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers Action ID Number: NWP-2001-325
Oregon Department of State Lands Number: 41641

Notice Issued: November 25, 2008
Written Comments Due: December 26, 2008

WHO IS THE APPLICANT: City of Oregon City, Public Works

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Portland, Oregon 97201-4953.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Jan Coomler at (503) 229-5087.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator at (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0032 (2) states that "The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on December 25, 2008. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Portland, Oregon 97201-4953 or faxed to (503) 229-6957. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to 401publiccomments@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.